

Kiefer discloses a changing image light device including a plurality of light bulbs which flash in sequence, a rotatable program structure surrounding the bulbs, and a surrounding container having a light-diffusing screen. The program structure has a square cross-section and is provided with apertures which project images which move and jump around on the screen as the structure rotates and the bulbs flash. Due to the square shape of the program structure, the distance between the apertures and the bulbs will change continuously, whereby the size of the projected images will also change. Due to the number of bulbs, each aperture will project a number of images.

This is in sharp contrast to the invention recited in claims 1 and 13, which recite only a single light source, so that projected images remain focused. In a preferred embodiment (claims 27 and 28), the light source has a clear envelope, so that light emitted by an incandescent filament inside approximates a point source, which results in a sharp image.

Kiefer teaches away from a point source and focused images, as exemplified by the preference for colored bulbs (col. 3, line 18), which do not have clear envelopes. The object is to create continuously changing kaleidoscopic images, not focused images which move without changing.

Claims 3, 11, 12 and 14 stand rejected citing Kiefer in view of Moedt U.S. 5,379,271. Since Moedt does not disclose any light source, much less a single light source, it adds nothing to defeat the patentability of claims 1 and 13 as presently amended. However, the following should be noted.

Moedt discloses a pair of concentric spheres including an outer translucent earth globe having images of the continents, and a rotatable inner globe having a black hemisphere and a white hemisphere. Ambient light provides the impression of global day and night as the outer

sphere rotates; the inner sphere is held in a desired position by magnets. The design does not admit of any means for providing internal light. Further, the images are on the outer sphere rather than the inner sphere.

There is no logical way to combine the teachings of Kiefer and Moedt. In addition to teaching multiple light sources, Kiefer teaches away from the use of spheres as recited in claims 3 and 14. The use of a pyramidal program structure is essential for generating "pulsating" projected images. The use of concentric spheres would defeat this teaching.

Claims 4 and 15 stand rejected citing Kiefer in view of Wu U.S. 6,022,118. Wu discloses a lamp having spherical globe which is rotatably mounted on a base and has an internal light. There is no suggestion to provide an outer sphere for projecting the images of continents on the globe onto such outer sphere. Further, there is no logical way to combine Wu with Kiefer. As pointed out above, Kiefer teaches away from concentric spheres.

Claims 5 and 16, which depend from claims 4 and 15, stand rejected under 35 U.S.C. §103 as unpatentable over Kiefer, Wu, and Ho U.S. 5,552,975. Ho discloses an internally lit spherical housing 2 with colored beads 21 and a rotatably mounted external shade 1 having holes 126 with different shapes for projecting light from the beads. It has nothing to do with projecting images on the surface of a rotating inner hollow body onto an outer hollow body. It adds nothing to Kiefer and Wu toward suggesting the basic combination recited in claims 1 and 13.

Claims 6, 7, 10, and 17 stand rejected under 35 U.S.C. §103 as unpatentable over Kiefer, Wu, Ho, and Suzuki U.S. 4,493,648 (total FOUR references). Suzuki relates to a rotatable globe, and adds nothing to the other references toward rendering obvious the basis combination of claims 1 and 13.

In sum, all rejections based on Kiefer as the primary reference must fail, because Kiefer discloses multiple light sources as essential to achieving the desired effect. Further, Kiefer's program structure cannot be spherical. A modification cannot change the principle of operation of a reference.. See MPEP 2143.01.


The claims as amended being definite and patentable over the art of record, withdrawal of the rejections and early allowance are solicited. Should any objections remain, a call to the undersigned is requested.

A check in the amount of \$45.00 is enclosed in payment for the addition of eight new claims (two independent claims in excess of three, 24 dependent).

If any additional fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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Dated: December 12, 2002

AMENDMENTS TO THE SPECIFICATION AND CLAIMS SHOWING CHANGES

IN THE SPECIFICATION:

The paragraph beginning at page 10, line 3, has been rewritten as follows:

--Figure 5 shows an image 48 that has been applied to the outside of projector globe 14. The image 48 shown is of Santa Claus in his reindeer drawn sleigh in keeping with an intended use of the ornament of the present invention as a Christmas tree ornament. Figure 6 shows a bulb 26 which is an incandescent lamp in a clear envelope. When the projector globe 14 is rotated, the light from the bulb 26 projects the image 28 onto the translucent projection screen globe 16. Due to rotation of the projector globe 14, the image 48 is seen by a viewer as animated or moving.--

IN THE CLAIMS:

Claims 1, 4, 13, 18 and 20 have been amended as follows:

--1. (Amended) An apparatus for displaying images, said apparatus comprising
a light transmissive inner hollow body having a central axis and a surface with
[translucent] images thereon,
[an] a single electric light source inside said inner hollow body,
an outer hollow body surrounding said inner body and having a common central
axis, said outer hollow body comprising a light transmissive material which serves as a
projection screen, whereby said images can be projected onto said projection screen by said light
source, and

an electric motor which rotates [one of] said inner hollow body [and said outer hollow body] about said axis with respect to [the other of said inner hollow body and] said outer hollow body, whereby said projected images move on said projection screen.--

--4. (Amended) An apparatus as in claim [2] 1 further comprising a housing fixed to said outer hollow body, said housing holding said electric motor and said light source[, said light source being rotatable with respect to said housing].--

--13. (Amended) An apparatus for displaying images, said apparatus comprising

an inner hollow body having a central axis and a surface with images thereon,

an outer hollow body surrounding said inner body and having a common central axis, said outer hollow body having an area which provides visibility of said images, [and]

an electric motor which rotates said inner hollow body about said axis with respect to said outer hollow body, whereby said images move with respect to said outer hollow body[.], and

a single light source located inside said inner hollow body.--

--18. (Amended) An apparatus as in claim 17 wherein said outer hollow body has a second opening concentric to said axis and axially opposed from said first opening, said apparatus further comprising a cover which is engageable to said outer hollow body to cover said [first] second opening.--

--20. (Amended) An apparatus as in claim [19] 1 wherein said outer hollow body comprises a translucent material which serves as a projection screen, whereby said [translucent] images are projected onto said projection screen by said light source.--